

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ASIA MARITIME PACIFIC CHARTERING LTD.,

Plaintiff,

-against-

COMERCIALIZADORA COLUMBIA S.A de C.V.,

Defendant.

22-cv-10789 (MMG)

ASIA MARITIME PACIFIC CHARTERING LTD.,

Plaintiff,

-against-

COMERCIALIZADORA COLUMBIA S.A de C.V.,

Defendant.

22-cv-10791 (MMG)

DEFAULT JUDGMENT

These related actions having been commenced on December 21, 2022 by the filing of Petitions to Compel Arbitration, and a copy of the Petitions to Compel and Summons having been served on the Respondent, Comercializadora Columbia S.A De C.V. ("Respondent"), on September 24, 2024 via USPS First Class International mail and electronic mail, in accordance with the Court's order authorizing such service (Dkt. No. 21), with proof of service having been filed (Dkt. No. 22, Affidavit of Service), and Respondent having failed to appear, answer, move in response to, or otherwise defend the Petitions to Compel as evidenced by the Clerk's Entry of Default (Dkt. No. 29), and as the time for answering the Petitions has expired, it is hereby

ORDERED, ADJUDGED, and DECREED, that the Parties are to proceed to arbitration forthwith and without delay within the Southern District of New York pursuant to Rider Clause 25 of the governing Voyage Charter Party entered between the Parties; and it is hereby further

ORDERED, ADJUDGED, and DECREED, that Respondent shall appoint an arbitrator within five (5) days after service by email and USPS First Class Mail upon them of a copy of this Order; and it is hereby further

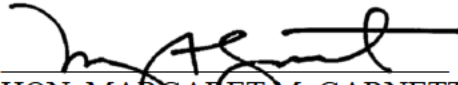
ORDERED, ADJUDGED, and DECREED, that if Respondent fails to appoint an arbitrator within five (5) days after service by email and USPS First Class Mail upon them of a copy of this Order, then Petitioner is authorized to appoint an arbitrator on behalf of Comercializadora from the roster of members of the Society of Maritime Arbitrators, Inc., with that appointment having the same force and effect as if the appointment had been made by Comercializadora; and it is hereby further

ORDERED, ADJUDGED, and DECREED, that this Court shall retain jurisdiction over this matter until a final award is entered herein under the terms of the subject charter party and pursuant to the provisions of 9 U.S.C. Section 1 *et seq.*

The Clerk of Court is respectfully directed to STAY these cases pending the completion of arbitration, or until these cases are voluntarily dismissed or otherwise terminated. The parties are FURTHER ORDERED to provide a status update to the Court within 14 days of the issuance of any final arbitration award.

Dated: New York, New York

January 22, 2025


HON. MARGARET M. GARNETT
UNITED STATES DISTRICT JUDGE